

company, or bank which owns an interest in an entity involved in the matter: Provided, that in the case of a mutual fund, investment company, or bank the fair value of such stock or bond does not exceed 1 per cent of the value of the reported assets of the mutual fund, investment company, or bank. In addition, the prohibitions of section 208(a) shall not apply if the employee obtains advance clearance in accordance with the requirements of section 208.

(d) Section 209, in general, prohibits regular Government employees from receiving salary or supplementation of salary as compensation for their Government service from any source other than the United States. The statutory provisions described in this section are intended to call each employee's attention to problem areas and are not intended as a comprehensive description or interpretation of statutory prohibitions or the exceptions thereto. Employees who need guidance concerning the scope and application of the conflict-of-interest laws and their execution should consult the Chairman.

§ 2202.12 Clearance.

(a) Any employee who is engaged or is planning to engage in outside employment, business, professional, or other such activities has a positive obligation to inform himself fully concerning the requirements of this subpart and any laws, orders, regulations, or standards applicable to such activities. An employee shall request clearance from the Chairman as to whether such planned or current activities are prohibited:

(1) When such activities raise a substantial question of conflict with this subpart or any applicable laws, orders, regulations or standards;

(2) When applicable laws, orders, regulations, or standards require clearance of such activities; or

(3) When the employee is specifically so required by the individual responsible for clearance in order to avoid possible conflict with applicable laws, orders, regulations, or standards. The clearance request shall be in writing and shall include, at a minimum, the identity of the employee, a statement of the nature of the employment or activity, and the amount of time to be

devoted to the employment or activity. The Chairman may require the employee to furnish such other information as may be appropriate in considering the clearance request. He may grant clearance only when he believes such activities would be consistent with applicable laws, orders, regulations, and standards. If clearance is not granted, the employee shall not commence or continue the outside employment or activity.

(4) The Chairman may exempt specific activities from these reporting requirements when he decides such activities cannot result in any substantial conflict of interest.

(b) The requirements set forth in this subpart are separate from and in addition to any provision under subpart E of this part requiring an employee to submit a statement of employment and financial interests or any other requirements of that subpart.

Subpart D—Gifts, Fees, Entertainment, Favors

§ 2202.13 Acceptance of gratuities generally.

No employee shall solicit, accept, or agree to accept any direct or indirect favor, gift, loan, free service, gratuity, entertainment, or other item of economic value if the donor has or is seeking to obtain contractual or other business or financial relations with OSHRC, has interests that may be substantially affected by the performance or nonperformance of official duties, is attempting to reward or influence the employee's official actions, or if acceptance of such item could affect the employee's impartiality, or give that appearance. An employee shall not accept a gift, present, decoration, or other thing from a foreign Government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 7342. No regular Government employee may receive any salary or supplementation of salary from a private source as compensation for services to the Government.